

Special Town Meeting
Monday July 15, 2024
Penobscot Community School
6pm

6pm
for Public
Hearing
6:30
Town
Meeting

Proposed July 3, 2024

The Town of Penobscot, Maine hereby proposes a moratorium ordinance entitled "Solar Facilities Moratorium Ordinance" as follows:

WHEREAS areas of the Town of Penobscot are imminently under threat of increased development pressure from Solar Facilities.

WHEREAS residents of the Town of Penobscot have expressed concerns about proposals for such developments, including concerns regarding quality of life, adjacent property values, health and safety concerns, decommissioning liabilities and costs, visual impacts, etc.

WHEREAS the development of such proposals may pose a threat to the quality of life, adjacent property values, and the health and safety of the Town of Penobscot's residents.

WHEREAS this development pressure was unanticipated and is not provided for in the Town's current ordinances and regulations.

WHEREAS the Town of Penobscot needs at least 180 days to consider, develop, and implement necessary ordinances and regulations to protect the health, safety, and welfare of the residents of the Town of Penobscot.

WHEREAS in the judgment of the Town, the foregoing facts constitute an emergency and demonstrates that a moratorium on development of Solar Facilities is necessary pursuant to 30-A MRSA § 4356(1).

NOW, THEREFORE, the Town of Penobscot hereby ordains that the following Moratorium Ordinance be enacted:

- I. **Authority:** This Moratorium Ordinance is enacted pursuant to 30-A MRSA § 4356 and the Town of Penobscot's home rule authority pursuant to the Maine Constitution and 30-A MRSA § 3001.
- II. **Definitions:** The following definition shall be used in interpretation and construction of the Ordinance.
 - A. **A Solar Facility:** is any solar facility, project, or installation including the associated solar arrays, solar related equipment, energy storage facilities and components for distribution, which is intended to and/or in fact does generate solar power and feeds said power into the electric grid supplying the local utility with power. This shall include but is not limited to, any ground mounted photovoltaic (PV) project that is larger than .02 MW in capacity. Residential/commercial solar arrays smaller than .02 MW (ac) are not included in the definition.
- III. **Purpose:** The purpose of the Moratorium Ordinance is to allow municipal officials a reasonable time to evaluate the concerns raised in regard to any potential solar development and determine the adequacy of existing land use ordinances and

Harold
Amended to
.02mw
Bryce 2nd

Passed
adjourned at: 3:37pm

Effective Date: This Ordinance shall become effective when adopted by the registered voters of the Town of Penobscot.

In witness whereof the parties, or their duly empowered representatives, have executed this "Solar Facilities Moratorium Ordinance" dated JUNE 20th 2024 on this date: JULY 2nd 2024.

Municipal Officers of the Town of Penobscot, Maine

Harold Hatch

Harold Hatch, Chair

Sara B. Leighton

Sara Leighton

Phil Rapp

Phil Rapp

Attested: 7-15-2024
Sally O'Bridges
Town Clerk